

UNITED STATES DISTRICT COURT

for the
District of South Dakota
Western Division

In the Matter of the Search of:

USA v. 23-198-05

Case No. 5:23-mj-209

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

See **ATTACHMENT A**, which is attached to and incorporated in this Application and Affidavit

located in the District of South Dakota, there is now concealed *(identify the person or describe the property to be seized)*:

See **ATTACHMENT B**, which is attached to and incorporated in this Application and Affidavit

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

21 U.S.C. §§ 841(a)(1) and 846

Offense Description

Conspiracy to Distribute Controlled Substance and
Possession with Intent to Distribute a Controlled
Substance
Possession of a Controlled Substance

21 U.S.C. § 844

The application is based on these facts:

☒ Continued on the attached Affidavit, which is incorporated by reference.

☐ Your applicant requests that no notice be given prior to the execution of the search warrant, i.e., "no knock", the basis of which is set forth in the attached Affidavit.

☐ Your applicant requests authorization to serve the search warrant any time day or night pursuant to Fed. R. Crim. P. 41(e)(2)(A)(ii), the basis of which is set forth in the attached Affidavit.



Applicant's signature

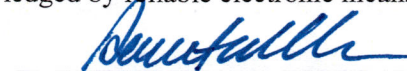
Daniel Ullrich, Postal Inspector

Printed name and title

Sworn to before me and: ☒ signed in my presence.

☐ submitted, attested to, and acknowledged by reliable electronic means.

Date: 10-16-23



Judge's signature

City and state: Rapid City, SD

Daneta Wollmann, U.S. Magistrate

Printed name and title

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

IN THE MATTER OF THE SEARCH OF:

USA v. 23-198-05

Case No. 5:23-mj-209

FILED UNDER SEAL

REDACTED AFFIDAVIT
IN SUPPORT OF
SEARCH WARRANT

STATE OF SOUTH DAKOTA)
)
COUNTY OF PENNINGTON)

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Daniel M. Ullrich, Postal Inspector, U.S. Postal Inspection Service, after being duly sworn under oath, do depose and state as follows:

This Affidavit is in support of a search warrant for USPS parcel bearing tracking number 9505 5161 9938 3283 7717 92 (hereafter SUBJECT PARCEL).

INTRODUCTION AND AGENT BACKGROUND

1. I am a United States Postal Inspector and have been so employed since July 2022. In 2022, I completed a 16-week Basic Inspector Training course at the federally accredited U.S. Postal Inspection Service training center in Potomac, Maryland. I am currently assigned to the United States Postal Inspection Service (USPIS) Denver Division, specifically to a multifunction team stationed in the Rapid City, South Dakota Domicile. My duties as a U.S. Postal Inspector in Rapid City, SD, involve the investigation of narcotic violations involving the United States Mail. As a U.S. Postal Inspector one of my responsibilities include the detection and prevention of the transportation of narcotic/controlled substances through the United States Mail, to include, conducting narcotic investigations and executing arrests of individuals for violations of Title 21, United States Code, Sections 841(a)(1), 844, (Distribution of a

Controlled Substance), and 846 (Conspiracy to Distribute a Controlled Substance). Part of my training as a Postal Inspector includes narcotic trafficking investigative techniques related to the identification and detection of the controlled substances being transported in the United States Mail.

2. The information contained within this Affidavit is based on my observations, training and experience, as well as information relayed to me by other law enforcement officers involved in this investigation. Because this Affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause for the requested warrant.
3. I know, based on my experience and the experience of other law enforcement officers I have worked with and spoken with, that the United States Postal Service (USPS) is frequently used by drug traffickers to ship controlled substances and illegal drug proceeds. Drug traffickers also use the USPS because parcels they send can be assigned a tracking number, which allows them to confirm the location of their parcel via a toll-free number or the USPS's website.
4. Based on my experience, training, and discussions with other law enforcement officers experienced in controlled substance investigations, USPS parcels containing controlled substances, or illegal drug proceeds often fit a common profile, which is derived from the methods used by shippers to balance their competing needs to ensure their parcels are reliably delivered, but also to ensure that the presence of controlled substances or illegal drug proceeds is not easily discovered by the

authorities or third parties. Some of the most common indicators that a parcel is being used in a controlled substance transaction are listed below:

- a. It is a common practice for the shippers of the controlled substance and/or illegal drug proceeds to use Priority Mail Express and Priority Mail because the drugs or proceeds arrive faster and on a predictable date. These mail services also allow the shippers to keep track of their shipments.
- b. Parcels with controlled substances or illegal drug proceeds typically contain a fictitious return address, no return address, the same address as the one listed for the addressee, or a return address that does not correspond to the neighborhood from which the parcel was mailed. These parcels are also sometimes addressed to or from a commercial mail receiving agency (i.e., UPS Store, Etc.). Drug traffickers use these methods to hide from law enforcement the true identity of the person(s) shipping and/or receiving the controlled substance or illegal drug proceeds.
- c. Drug traffickers using the USPS to mail controlled substances or illegal drug proceeds will often make payment for the mailing with cash or online methods rather than credit or debit card. The use of cash and online methods allow the people involved in the transaction to remain anonymous and avoid detection by law enforcement.
- d. When a shipper mails controlled substances, the proceeds from the sale of these controlled substances may be returned to the shipper. These proceeds are commonly sent in the form of U.S. currency. Based on experience and discussions with other law enforcement agents, there are known drug source states, e.g., California, Colorado, Arizona, Nevada, Oregon, Washington, Texas,

and Puerto Rico, from which controlled substances are mailed and to which the drug proceeds would be returned.

- e. In order to conceal from trained narcotic dogs the distinctive smell of controlled substances, or U.S. currency that has been exposed to controlled substance, parcels containing these substances tend to be wrapped excessively in bubble-pack, wrapping plastic, and multiple heat or vacuumed sealed bags. The seams of such parcels are also often sealed with tape. Furthermore, they are often packaged so that a smaller parcel containing controlled substances is sealed around the seams, wrapped, and placed inside a larger parcel. Sometimes perfumes, coffee, dryer sheets, tobacco or other substances with their own distinct smell are used to mask the odor of the controlled substance being shipped. Another popular trend is for the controlled substances to be placed into re-sealed aluminum cans or other containers.
- 5. I know from my training and experience, as well as my discussions with other law enforcement officers, that the following controlled substances are likely to be found during successful parcel interdictions: marijuana, methamphetamine, cocaine, LSD, psilocybin mushrooms, heroin, opium, MDMA and counterfeit pills containing Fentanyl as well as the proceeds from the sale of these controlled substances.
- 6. I know from training and discussions with other law enforcement officers that these parcels sometimes contain information and documentation related to the sales and distribution of controlled substances. The documentation can include, but is not limited to, information and instructions on the breakdown and distribution of the controlled substances at the destination, information on the use and effects of the various controlled substances, the quality of the controlled substances, information

on the actual sender, and information and instructions for ordering future-controlled substances.

7. In this search warrant application, I seek this Court's authority to search the SUBJECT PARCEL, as more fully described in ATTACHMENT A, for the items identified in ATTACHMENT B.
8. It is my request that if the SUBJECT PARCEL is found to contain U.S. currency ("USC") or other items that do not constitute contraband, the United States Postal Inspector conducting the search may document the contents of the SUBJECT PARCEL through means including, but not limited to, photographing and photocopying the contents and if applicable seize and replace packaging materials which may contain evidence for DNA or Fingerprint processing, and then re-package the SUBJECT PARCEL and cause it to be delivered to the intended recipient. However, if the SUBJECT PARCEL contains controlled substances, they will be removed and seized, along with any other items enumerated herein.

RELEVANT FACTS PERTAINING TO THE INVESTIGATION

9. Based on my training, experience, and the collective experiences relayed to me by other Postal Inspectors who specialize in investigations related to the mailing of controlled substances and proceeds from the sale of controlled substances, I am aware that the State of South Dakota is a destination location for controlled substances that are regularly mailed from other states via USPS Priority Mail Express and Priority Mail.
10. Based on my training, experience, and the collective experiences relayed to me by other Postal Inspectors who specialize in investigations related to the mailing of

controlled substances and proceeds from the sale of controlled substances, I am aware that Oregon is a source area for narcotics.

11. On January 22, 2023, while reviewing postal business records, I identified [REDACTED] [REDACTED] as frequently receiving multiple suspicious parcels from CA which were being sent from non-business entities. Over the course of the next month, I observed numerous additional parcels continuing to be sent from known drug source areas.
12. On March 23, 2023, I applied for a Federal Search Warrant on a parcel destined for this address. The search warrant was granted and the parcel was found to contain approximately 2,100 grams of THC concentrate. Even though one parcel was seized, it did not deter from future parcels and they continued to be mailed regularly. From March 2021 to date I have identified approximately 280 parcels which match characteristics consistent with narcotics parcels. Since the seized parcel, of that 280 parcels, approximately 80 of them have been mailed from May 23, 2023 to present.
13. In June 2023, I was contacted by Department of Criminal Investigations (DCI) Agent Brian Larson. Agent Larson informed me of a recorded phone call which took place on June 5, 2023, with an inmate in one of the South Dakota Corrections Facilities. During this phone call, Michael Storm stated that he would be traveling to Oregon to connect with a "chemist". Storm told the inmate that he is going to have his own products made and that he is continuing to get busier.
14. Prior to this phone call, there were identified parcels that originated from Oregon, but they stopped in May 2023. On July 13, 2023, Storm's residence had its first new parcel shipped from Oregon. Including the parcel mailed on July 13, a total of eight

parcels have been shipped, the four most recent ones (including the SUBJECT PARCEL) originated from Newport, Oregon.

RELEVANT FACTS PERTAINING TO THE SUBJECT PARCEL

15. On October 10, 2023, while reviewing USPS business records, I identified the SUBJECT PARCEL which originated from Newport, Oregon, destined for Michael Storm at [REDACTED], Spearfish, SD 57783.
16. On October 12, 2023, I intercepted the SUBJECT PARCEL for further review. I observed the SUBJECT PARCEL to contain the following suspicious characteristics:
 - a. The SUBJECT PARCEL is a Priority Mail parcel, which is an expedited mailing service that provides real time tracking expedited delivery services.
 - b. The SUBJECT PARCEL was mailed from Oregon, which is a known drug source area.
 - c. The SUBJECT PARCEL matches similar characteristics to previously identified parcels addressed to this address.
17. The SUBJECT PARCEL is addressed to Michael Storm at [REDACTED], Spearfish, SD 57783 and lists a return address of SHCC at [REDACTED], New Port, OR 97365.
18. Reviewing the previous parcels identified, specifically the ones that originated from Newport, OR, I identified that the same return address and business name were used on those parcels as well. Utilizing internet searches, I was able to identify that "SHCC" is an abbreviation for Sacred Heart Catholic Church, and that the church's street address is [REDACTED], New Port Oregon 97365, however their website lists [REDACTED] as their mailing address. I contacted the phone number on the website and spoke with a clerical assistant employed by the church, identified

by the website and verbally as Cheryl Schones. Cheryl confirmed that the church rarely mails boxes let alone multiple to a single person and stated if the Pastor was mailing packages out, he would have used his personal address or the P.O. Box as a return address. Cheryl confirmed that the church did not mail these parcels.

19. Based on my training and experience, I know that it is common for individuals who ship narcotics using the US mail to use a fictitious name and/or address as the return/sender, attempting to remain anonymous in the event of law enforcement involvement. I know that it is also common for individuals to utilize a fictitious business name in the same manner.

20. Based on the facts set forth in this Affidavit, your Affiant submits there is probable cause to believe that a controlled substance, or the proceeds from the sale of or for the purchase of controlled substances, are concealed in the aforementioned SUBJECT PARCEL, and seeks a search warrant directing the search of the SUBJECT PARCEL described herein and the seizure of the enclosed material relating to the distribution of controlled substances. I declare under penalty of perjury that the foregoing is true and correct.

REQUEST TO SEAL

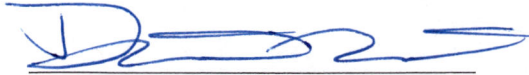
21. I request an order sealing this case until further order of the Court, in that this search is being conducted as part of an ongoing federal criminal investigation. Disclosure of information contained in the documents incorporated in this search and filed with the Court could seriously jeopardize this ongoing investigation.

CONCLUSION

22. I submit that based on the facts set forth in this Affidavit, there is probable cause to believe the SUBJECT PARCEL described in Attachment A contains evidence, fruits,

and or instrumentalities of Violations of 21 U.S.C. §§ 841(a)(1), 846 and 844. Therefore, I request permission to search the SUBJECT PARCEL in Attachment A for the evidence, fruits, and instrumentalities identified with particularity in Attachment B.

23. Based on the foregoing, I request that the court issue the proposed search warrant.



Daniel Ullrich
U.S. Postal Inspector

Sworn to before me and: ☒ signed in my presence.
☐ submitted, attested to, and acknowledged by reliable electronic means.

Dated this 16th day of Oct 2023.



Daneta Wollmann
United States Magistrate Judge

5:23-mj-209

REDACTED ATTACHMENT A**DESCRIPTION OF LOCATION TO BE SEARCHED**

One Priority Mail Large Flat Rate Box with United States Postal Service Priority Mail Postage bearing tracking 9505 5161 9938 3283 7717 92. The parcel is addressed to Michael Storm at [REDACTED], Spearfish, SD 57783 with a return/sender address of SHCC at [REDACTED], Newport, OR 97365. The parcel measures approximately 12 x 12 x 6 inches and weighs approximately 11lb 12oz. The parcel is currently located at the USPIS Rapid City Domicile. Below is an image of the parcel:



5:23-mj-209

ATTACHMENT B

DESCRIPTION OF ITEMS TO BE SEIZED

The evidence, fruits, and or instrumentalities of violations of 21 U.S.C. §§ 846, 844, and 841(a)(1), particularly the following:

1. All controlled substances.
2. Books, records, receipts, notes, ledgers, photographs and other papers relating to the importation, transportation, ordering, purchase and distribution of controlled substances.
3. All items determined to have been used or likely to be used for the packaging, weighing, transportation, shipping, use, distribution, storage, or processing of any controlled substance.
4. All U.S. or foreign currency, or other forms of monetary instruments, or other financial commodities including precious metals, or other negotiable instruments, including re-fillable debit cards and receipts indicating the sending or possession of such cards.
5. All contact lists, ledgers, calendars, notes, spreadsheets, diaries, contact information and appointment books to identify conspirators, customers, enforcers, or suppliers potentially involved in violating 21 U.S.C. §§ 841(a)(1) and 846.
6. Books, records, receipts, bank statements and records, money drafts, letters of credit, money orders, cashier's checks, receipts, passbooks, bank checks, safe deposit box keys, storage locker keys, and other items of evidencing the obtaining, secreting, transfer, and/or concealment of assets and the obtaining, secreting, transfer, concealment and/or expenditure of money. This is meant to include any record reflecting the rental of a storage locker, rental facility, or other property, including hotel rooms, in which controlled substances could be stored.
7. Firearms, ammunition, paraphernalia associated with the possession and/or use of firearms, including but not limited to holsters, cases, or receipts indicating the purchase or sale of such items.

AO 93 (Rev. 11/13) Search and Seizure Warrant

UNITED STATES DISTRICT COURT
for the
District of South Dakota

In the Matter of the Search of

USA v. 23-198-05

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Case No. 5:23-mj-209

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the District of South Dakota (*identify the person or describe the property to be searched and give its location*):

See **ATTACHMENT A**, attached hereto and incorporated by reference.

I find that the Affidavit, attached hereto and incorporated by reference, or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (*identify the person or describe the property to be seized*):

Evidence of a crime in violation of 21 U.S.C. §§ 846, 841(a)(1) and 844, as described in **ATTACHMENT B**, attached hereto and incorporated by reference.

I find that the Affidavit, attached hereto and incorporated by reference, or any recorded testimony, establishes probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before 10-30-23 (*not to exceed 14 days*)

☒ in the daytime 6:00 a.m. to 10 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Daneta Wollmann.
(*United States Magistrate Judge*)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (*check the appropriate box*)

☐ for _____ days (*not to exceed 30*). ☐ until, the facts justifying, the later specific date of _____

☐ I find that good cause has been established to authorize the officer executing this warrant to not provide notice prior to the execution of the search warrant, i.e., "no knock".

Date and time issued: 10-16-23 9:45am

City and state: Rapid City, SD



Judge's signature

Daneta Wollmann, U.S. Magistrate

Printed name and title

cc: AUSA Kelderman
kle

AO 93 (Rev. 11/13) Search and Seizure

Warrant (Page 2)

Return

Case No.:

5:23-mj-209

Date and time warrant executed:

Copy of warrant and inventory left with:

Inventory made in the presence of :

Inventory of the property taken and name of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

*Executing officer's signature*_____
Printed name and title